

UNITED STATES DISTRICT COURT
EASTERN DISTRICT OF TENNESSEE

PAUL G. CHIAROVANO,)	
)	
Petitioner,)	
)	
v.)	Nos.: 3:07-CR-31-TAV-CCS-1
)	3:16-CV-450-TAV
UNITED STATES OF AMERICA,)	
)	
Respondent.)	

JUDGMENT ORDER

For the reasons expressed in the accompanying memorandum opinion, it is **ORDERED** and **ADJUDGED** that Paul G. Chiarovano's § 2255 petition [Doc. 26] is **GRANTED**. As such, the sentence dated April 17, 2008 [Doc. 20] is **VACATED** and it is hereby **ORDERED** that a resentencing hearing is **SCHEDULED** for **Thursday, April 13, 2017, at 10:00 a.m.**, in Knoxville, Tennessee. The Court finds that Mr. Chiarovano is indigent [*See generally* Doc. 5], and **APPOINTS** Paula R. Voss with Federal Defender Services of Eastern Tennessee to represent him in this matter. The United States Probation Office will provide the Court with information necessary for sentencing.

In the absence of a waiver of appearance at sentencing, it is also hereby **ORDERED** that the Bureau of Prisons relinquish custody of Paul G. Chiarovano, BOP Reg. No.: 31748-074, to the United States Marshals Service, and that the United States Marshal, or his authorized deputy, shall transport the defendant to this district on or before **Thursday, March 23, 2017**, in order for him to meet with his attorney and prepare for his hearing.

In accordance with Local Rule 83.9(j), the United States shall file any motion pursuant to 18 U.S.C. § 3553(e) or Section 5K1.1 of the United States Sentencing Guidelines, or for a

sentence below the statutory mandatory minimum, at least seven (7) days before the sentencing hearing. Any other motion for downward or upward departure or variance and all sentencing memoranda must be filed at least fourteen (14) days before the sentencing hearing. Failure to comply with these deadlines may result in a denial of the request.

IT IS SO ORDERED.

s/ Thomas A. Varlan
CHIEF UNITED STATES DISTRICT JUDGE